

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 05-80725

ANCO-TECH, INC.; ANDREW  
MALISZEWSKI and ALAN  
MALISZEWSKI,

HONORABLE AVERN COHN

Defendants.

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**PRETRIAL ORDER**

This is a complex criminal case. On November 6, 2006, the Court held a hearing on pending motions and discussed trial preparation.

A.

The case is generally ready for trial, subject to finalizing witness and exhibit lists.

The trial is estimated to take three (3) to four (4) weeks with trial hours of 9:00 a.m. to 4:00 p.m., 4 days per week.

The government shall furnish defendants within six (6) days the following:

a. a witness list, separately stating which witnesses will be called and which witnesses may be called;

b. an exhibit list describing the separate categories of exhibits with Bates-stamped numbers as to each exhibit in each category. The government shall make every effort to keep the list to less than 250 exhibits;

- c. a draft verdict form;
- d. a draft set of instructions on the law of the case.

The government has advised the Court that Anco-Tech, Inc. will be dismissed as a defendant.

The government has stated that it does not intend to call any expert witnesses. The government may call fact witnesses with expertise relevant to their testimony.

B.

As to pending motions, the Court considered the following motions, each of which is DENIED for reasons stated on the record:

- 1. Defendant Andrew Maliszewski's Motion for Discovery (without prejudice);
- 2. Defendant Andrew Maliszewski's Motion for Disclosure and Production of Names of Witnesses;
- 3. Defendant Andrew Maliszewski's Motion for Interviews of Government Witnesses (without prejudice);
- 4. Defendant Andrew Maliszewski's Motion to Dismiss the Indictment, Pursuant to Rule 12(b)(3) of the Federal Rules of Criminal Procedure, Due to Misconduct in the Grand Jury Proceedings;
- 5. Defendant Andrew Maliszewski's Motion for Severance Pursuant to Rule 8(b) and Rule 14(a) of the Federal Rules of Criminal Procedure.

C.

The following motions are the subject of a separate order:

- 1. Defendant Andrew Maliszewski's Motion to Dismiss the Indictment, Pursuant to Rules 12(b)(3) and 7(c) of the Federal Rules of Criminal Procedure, for Defects in the Indictment;
- 2. Defendant Andrew Maliszewski's Motion Pursuant to Rule 12(b) of the Federal Rules of Criminal Procedure to Dismiss, as Against Defendant Andrew Maliszewski Only, Count Eight of the Indictment as Being

Outside of the Applicable Statute of Limitations.

D.

Any objections to this order shall be filed within five (5) days.

SO ORDERED.

s/Avern Cohn  
AVERN COHN  
UNITED STATES DISTRICT JUDGE

Dated: November 6, 2006

I hereby certify that a copy of the foregoing document was mailed to the parties of record on this date, November 6, 2006, by electronic and/or ordinary mail.

s/Julie Owens  
Case Manager, (313) 234-5160